

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BILLI ANNE RAINING BIRD
MORSETTE,

Defendant.

CR-15-61-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on July 7, 2022. (Doc. 122.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on July 6, 2022. (Doc.117.) The United States accused Morsette of violating her conditions of supervised release 1) by knowingly interacting with a convicted felon; 2) by failing to

maintain full-time employment; 3) by failing to follow the instructions of her probation officer; 4) by failing to make monthly restitution payments; 5) by committing another crime; and 6) by possessing methamphetamine. (Doc. 112.)

At the revocation hearing, Morsette admitted to violating the conditions of her supervised 1) by knowingly interacting with a convicted felon; 2) by failing to maintain full-time employment; 4a) by failing to make monthly restitution payments; 4b) by committing another crime; and 5) by possessing methamphetamine. Judge Johnston found that the government failed to satisfy its burden of proof with respect to alleged violation 3. (Doc. 117.) Judge Johnston found that the violation Morsette admitted proved to be serious and warranted revocation, and recommended that Morsette receive a custodial sentence until August 17, 2022 with 12 months of supervised release to follow. (Doc. 122.) Morsette was advised of her right to appeal and her right to allocute before the undersigned. (Doc. 117.) The violation proves serious and warrants revocation of Morsette's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 122) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Billi Anne Raining Bird Morsette be sentenced to the custody of the United States Bureau of Prisons until August 17, 2022, with 12

months of supervised release to follow. The sentence in this case shall run concurrent with the sentence imposed in Cause CR-15-40-GF-BMM.

DATED this 25th day of July, 2022.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

Brian Morris, Chief District Judge
United States District Court

